



City of Powder Springs

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127

Meeting Minutes - Final Council Work Session

*Mayor
Albert Thurman*

*Council Members:
Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry, Patricia
Wisdom*

Wednesday, April 10, 2024

5:00 PM

Ford Center Reception Hall
4181 Atlanta Street | Building 2
Powder Springs, GA 30127

Location Information:

Onsite: Ford Center Reception Hall, 4181 Atlanta St., Powder Springs, GA 30127

**Join Zoom Meeting - <https://us06web.zoom.us/j/86060727072>
Meeting ID: 860 6072 7072 Dial: 1-929-205-6099**

Call to Order

Mayor Albert Thurman called the meeting to order at 5:00 pm. Council Members Dawkins, Green, and Lust were present on site. Council Member Wisdom was present via Zoom. Council Member McMutry was absent. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner, and City Clerk Kelly Axt.

Staff in attendance: Lane Cadwell (Zoom), Jon Gargis, Tina Garver (Zoom), Sam Heaton, Travis Landrum (Zoom), Shaun Myers (Zoom), Rosalyn Nealy (Zoom), Tamara Newkirt, Travis Sims (Zoom), Henry Smith (Zoom), Marsellas Williams (Zoom) and Wayne Wright (Zoom).

Present 4 - Mayor Al Thurman, Mayor Pro Tem - Ward 1 Henry Lust, Council Member - Ward 2 Doris Dawkins, and Council Member - Ward 3 Dwayne Green
Absent 1 - Council Member - At Large Post 1 Dwight McMutry
Remote 1 - Council Member - At Large Post 2 Patricia Wisdom

Mayor's Comments

Mayor Thurman shared that he plans to attend a non-profit masquerade ball this coming Saturday.

Work Session Matters

[ORD 24](#)
[-004](#)

AN ORDINANCE TO ANNEX CERTAIN PROPERTY FROM THE UNINCORPORATED AREAS OF COBB COUNTY TO THE CORPORATE LIMITS OF THE CITY OF POWDER SPRINGS; REPEALING CONFLICTING ORDINANCES; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First reading: 2/19/2024; Second Reading: 3/4/2024

Attachments: [Brown. Annexation Application Redacted](#)
[Brown. Attachments Redacted](#)
[Exhibit A. Legal Discription](#)
[ORDINANCE 2024 - 004 Annexation Barrett William Brown](#)
[FINAL SIGNED Non-Objection ANN-3-2024 Barrett Pky and Laura Brown Rd Redacted](#)

Tina Garver, Community Development Director, stated that Staff is recommending to table ORD 24-004 to a future Council Agenda meeting to be determined by Community Development Staff.

No discussion was held. Related to agenda item PZ 24-005.

[PZ 24-005](#)

Rezoning Request for an approximate 13.64-Acre Tract from R-20 and CRC (County) to CRC (City). The property is located at 6652 Ernest Barrett Pkwy with land lots 765 and 790, 19th District, 2nd Section, Cobb County, Georgia. PIN: 19079000010. Applicant: William D. Brown.

Attachments: [PZ24-005. Motion to TABLE. 04152024](#)
[Brown. Rezoning Application Redacted](#)
[Brown. Attachments Redacted](#)
[FINAL SIGNED Non-Objection ANN-3-2024 Barrett Pky and Laura Brown Rd Redacted](#)
[Executed Tabled to 04-01-2024 Motion PZ 24-005](#)
[Signed Tabled Motion to 04-15-24](#)

Tina Garver, Community Development Director, discussed that the applicant William Brown has submitted site plans for review with recommendations by TSW. Mrs. Garver added that Staff is recommending to table PZ 24-005 to a future City Council Agenda meeting to be determined by Community Development Staff.

No discussion was held. Related to ORD 24-004.

[ORD 24](#)
[-006](#)

AN ORDINANCE TO ANNEX CERTAIN PROPERTY FROM THE UNINCORPORATED AREAS OF COBB COUNTY TO THE CORPORATE LIMITS OF THE CITY OF POWDER SPRINGS; REPEALING CONFLICTING ORDINANCES; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER

PURPOSES.

First reading: 2/19/2024; Second Reading: 3/4/2024

Attachments: [Vida. Annexation Application Redacted](#)

[Vida. Attachments](#)

[Exhibit A. Legal Discription](#)

[ORDINANCE 2024 - 006 Annexation Barrett Vida](#)

[FINAL SIGNED ANN-4 Notice of Non-Objection Barrett Pky N of Powder Springs 02Redacted](#)

Tina Garver, Community Development Director, stated that Staff is recommending to table ORD 24-006 to a future Council Agenda meeting to be determined by Community Development Staff.

No discussion was held. Related to agenda item PZ 24-007.

[PZ 24-007](#)

Rezoning Request for an approximate 16.57-Acre Tract from R-20 to MXU (City). The property is located at east side of Ernest Barrett Pkwy within Land Lots 765, 19th District, 2nd Section, Cobb County, Georgia. PIN: 1907900010 (portion). Applicant: Vida Companies, LLC.

Attachments: [PZ24-007. Motion to TABLE. 04152024](#)

[Powder Springs - Project Examples](#)

[Vida. Rezoning Application Redacted](#)

[Vida. Attachments](#)

[FINAL SIGNED ANN-4 Notice of Non-Objection Barrett Pky N of Powder Springs 02 Redacted](#)

[Executed Tabled to 04-01-2024 Motion PZ 24-007](#)

[Gallery Residential 03.13.2024](#)

[Signed PZ 24-007 Tabled Motion to 04-15-24](#)

Tina Garver, Community Development Director, discussed that the applicant Vida Companies has submitted their site plans for review with recommendations by TSW. Mrs. Garver added that Staff is recommending to table PZ 24-007 to a future City Council Agenda meeting to be determined by Community Development Staff.

No discussion was held. Related to ORD 24-006.

[ORD 24-008](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES WRECKER SERVICES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading and Introduction: April 1, 2024 2nd Reading and Public Hearing: April

15, 2024

Attachments: [ORDINANCE 2024 - Wrecker Service](#)

Lane Cadwell, Chief of Police, discussed correcting the current ordinance that states the five dollar daily storage fee to the recently approved forty dollar per day storage fee.

City Manager Pam Conner added that she will add another provision from Article 8 regarding procurement policy.

No discussion was held.

[RES0 24-052](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE GEORGIA EMERGENCY MANAGEMENT AGENCY AND HOMELAND SECURITY AGENCY FOR GRANT SUPPORT TO SUPPLY EQUIPMENT NEEDS FOR POLICE DEPARTMENT OPERATIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 052 GEMA HS GRANT assistance](#)

Lane Cadwell, Chief of Police, discussed the authorization to access the Georgia Emergency Management and Homeland Security Agency grant process.

No discussion was held.

[RES0 24-056](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS REQUIRED FOR CERTAIN AUDIO VISUAL AND TECHNOLOGY FEATURES AT THE NEW MUNICIPAL COMPLEX; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 056 AVIT Municipal Complex](#)

Kelly Axt, City Clerk/Administrative Services Director, discussed receiving final pricing for IT connections, audio visual setups, door access, security and fire alarm systems

The Mayor asked is the pricing within budget. Mrs. Axt replied that the pricing is within the budget that was given to Staff last year with the exception of the fire system requirements and additions to the audio visual.

[RES0 24-055](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE RENEWAL LEASE AGREEMENTS WITH THE SOUTH COBB ARTS ALLIANCE, INC. FOR USE OF AN OFFICE AND STORAGE AREA AT THE OLD MUSEUM LOCATION IN POWDER SPRINGS AND FOR USE OF GALLERY DISPLAY SPACE; PROVIDING FOR AN EFFECTIVE DATE;

AND FOR OTHER PURPOSES.

Attachments: [lease with south cobb arts alliance 2024](#)

[RESOLUTION 2024 - 055 SCAA RENEWALS](#)

Marsellas Williams, Economic Development Director, discussed the renewal of the lease for South Cobb Arts Alliance in the old Seven Springs Museum for twelve months at a cost of \$180 per month.

The Mayor asked if the renewal was every twelve months; and does the Arts Alliance pay the utilities. Mr. Williams replied yes the renewal is every twelve months; and yes the Arts Alliance does pay the utilities.

[RPT 24-029](#) Report - Economic Development Staff Report

Attachments: [Economic Development Report April](#)

Marsellas Williams, Economic Development Director, provided updates in business attraction, business retention, annexation and marketing.

No discussion was held.

[RES0 24-036](#) A RESOLUTION ACTING ON THE PROPOSAL REGARDING NAMING RIGHTS FOR THE AMPHITHEATER IN THURMAN SPRINGS PARK; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES..

Attachments: [Bid Tab - Naming Rights at Amphitheater](#)

[Hardy Family Automotive Bid - Amphitheater Naming Rights Redacted](#)

[Tabled RESO 2024-036](#)

[RESOLUTION 2024 - 036 Naming of Amenities](#)

Sam Heaton, Agency Director, discussed that he met with the Hardy Family Group and their final decision is to stand by their initial bid. Mr. Heaton recommended denial of the bid.

No discussion was held.

[RPT 24-030](#) Report - regarding entertainment contracts for July 4th and Sounds of Springs Concert Series provided by RCS Productions, Inc.

Attachments: [City of Powder Springs -w- RCS Productions - September in the Park](#)

[7Sharp9 07-04-24 \(005\) Redacted](#)

[RCS PSRPINGSSOTS2024 \(005\) Redacted](#)

Travis Landrum, Parks and Recreation Director, discussed the service proposals provided by RCS Productions for the City's concert events.

The Council body asked if RCS is providing the sound system for the Fourth of July

and the Sounds of Springs concerts. Mr. Landrum answered back yes.

[ORD 24](#)
[-007](#)

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO SPECIFIC USE PROVISIONS FOR HOME OCCUPATIONS AND TO QUALIFIED TENANT PROVISIONS FOR WORKFORCE HOUSING; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading April 1, 2024; 2nd reading April 15, 2024.

Attachments: [Exhibit B. Home occupations](#)

[ORDINANCE 2024 - 007 UDC Amendments Home Occ and Workforce Housing](#)
[Ord Amendment Exhibit A Sec. 4 325. Work force housing. \(1\)](#)

Tina Garver, Community Development Director, discussed changing the language in the unified code to clarify that home occupations are required to be held by persons who use the property locations as their primary residents

The Mayor asked if the property is housed by renters can the renter receive their home occupation licenses. Mrs. Garver answered that renters can obtain their home occupation licenses as long as their drivers license has the same property location.

[ORD 24](#)
[-009](#)

Ordinance UDC Text Amendment First Reading (Art Ordinance)

Tina Garver, Community Development Director, discussed that the ordinance to address public art and asked that TSW develop citywide design standards.

The Mayor and Council body asked could graffiti be considered art. Mrs. Garver replied yes graffiti could be consider art.

The feedback from the elected body is that the guidelines can't be too broad nor too wide and to obtain additional research.

[RES0 24-053](#)

Resolution - Fee Resolution Updates

Tina Garver, Community Development Director, discussed proposed fees in alcohol, zoning, development, permitting and occupational tax recommendations.

Marsellas Williams, Economic Development Director, discussed city owned property damage fees.

The Mayor and Council body shared their concerns of some of the alcohol and permitting fees. The elected body asked Staff to work out a tier system with some of the proposed fee updates.

[RES0 24-054](#)

Resolution - Old Lost Mountain – Silver Comet Trail connector

Tina Garver, Community Development Director, discussed the project to connect the Silver Comet Trail from Jackson Way and Old Lost Mountain Road to the Thurman Springs Park; the project was developed in the LCI plan; and received funding through GDOT for the project. Mrs. Garver added that Staff is currently negotiating with the bidder on the final pricing.

No discussion was held.

[RPT 24-031](#)

Report- EV

Julie Livingston, City Attorney, shared her concerns with the electric vehicle station agreements and provided agreement changes submitted to the vendor for their acceptance.

No discussion was held.

[RPT 24-032](#)

Report - Brooks Lane Update

Wayne Wright, Interim Agency Director, reported that the previously denied applicants for the Brooks Lane Special Use application has filed another special use application. Mr. Wright added that the applicants are on the court docket for trial in the next coming days and has withdrawn their special use application, and agreed to a plea agreement with the Solicitor.

Tina Garver, Community Development Director, stated that the City is obligated to enforce the stream buffer restoration to bring the property back to compliance; the applicant will work with the City per the plea agreement to accomplish.

No discussion was held.

[RPT 24-033](#)

Report - Workforce expansion multifamily

Pam Conner, City Manager, discussed language change to expand the workforce house agreements. Mrs. Conner added that agreements will include proposed language to include health care workers, educators and government employees within 10 miles of Powder Springs.

The Mayor and Council body stated that they would consider the language change as long as the Powder Springs employees were the first priority.

[RES0 24-057](#)

A RESOLUTION MAKING CERTAIN FINDINGS RELATING TO WATER EFFICIENCY AND PROPOSED AMENDMENTS TO THE PLUMBING CODE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 057 Water Efficiency Findings](#)
[RESOLUTION 2024 -057 EXHIBIT A for Water Efficiency Reso](#)

Tina Garver, Community Development Director, discussed the requirement to adopt the amendment to the City's code with regards to water conservation.

No discussion was held.

[RES0 24-058](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CROY ENGINEERING IN THE AMOUNT OF \$19,660 TO PREPARE AND SUBMIT FUNDING APPLICATIONS FOR TRAFFIC IMPROVEMENT PROJECTS AT OGLESBY AND LEWIS ROADS AND AT CH JAMES PARKWAY AND SWEETWATER AVENUE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 058 Croy TIP applications](#)

Pam Conner, City Manager, discussed the agreement with Croy Engineering to authorize them prepare an application and do the engineering for federal funding with engineering costs of \$19,660.

No discussion was held.

[RES0 24-059](#) A RESOLUTION OF SUPPORT FOR AND COMMITMENT TO SUBMIT APPLICATIONS THROUGH THE ATLANTA REGIONAL COMMISSION TO INCLUDE CERTAIN TRANSPORTATION IMPROVEMENT PROJECTS IN THE STATE TRANSPORTATION IMPROVEMENT PROGRAM IN ORDER TO SEEK AND RECEIVE FUNDING ASSISTANCE FOR PROJECT IMPLEMENTATION; ACKNOWLEDGING THE NEED FOR LOCAL MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 059 ARC TIP Applications](#)

Pam Conner, City Manager, discussed the application for federal funding through the Atlanta Regional Commission State process for improvements at the Oglesby and Lewis Roads, and Sweetwater at US278.

No discussion was held.

[RES0 24-060](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GALLAGHER FIDUCIARY ADVISORS FOR SERVICES RELATING TO THE MANAGEMENT, INVESTMENT AND SUPERVISION OF THE CITY OF POWDER SPRINGS 401(A) AND 457 PLANS HELD BY MISSION SQUARE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 060 Gallaher re retirement plans](#)

Pam Conner, City Manager, reminded Mayor and Council of the previous discussion with Richard Snyder of Gallagher Bassett regarding an assessment of the City's defined contribution retirement plans. Mrs. Conner provided Mr. Snyder's recommendation of Mission Square's proposal for the City's 457 and 401.

No discussion was held.

Dinner recessed at 6:25pm

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Dinner recess at 6:25pm be approved. The motion carried by the following vote:

Yes: 3 - Henry Lust, Doris Dawkins, and Dwayne Green

Absent: 1 - Dwight McMutry

Remote: 1 - Patricia Wisdom

Dinner concluded at 6:55pm

A motion was made by Council Member - Ward 3 Green, seconded by Mayor Pro Tem - Ward 1 Lust, that this Dinner conclusion at 6:55pm be approved. The motion carried by the following vote:

Yes: 3 - Henry Lust, Doris Dawkins, and Dwayne Green

Absent: 1 - Dwight McMutry

Remote: 1 - Patricia Wisdom

Executive Session was called for the purpose of Litigation Matters

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that this Executive Session called for the purpose of Litigation be approved. The motion carried by the following vote:

Yes: 3 - Henry Lust, Doris Dawkins, and Dwayne Green

Absent: 1 - Dwight McMutry

Remote: 1 - Patricia Wisdom

Executive Session was concluded from the purpose of Litigation Matters

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Executive Session called for the purpose of Litigation conclude was approved. The motion carried by the following vote:

Yes: 3 - Henry Lust, Doris Dawkins, and Dwayne Green

Absent: 1 - Dwight McMutry

Remote: 1 - Patricia Wisdom

City Manager and Council Reports

Council Member Dawkins made no reports.

Council Member Green made no reports.

Council Member Lust shared that he was looking forward to attending a masquerade gala.

Recess to Next Scheduled City Council Meeting

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Recess to Monday April 15, 2024 at a special time of 5:30pm be approved. The motion carried by the following vote:

Yes: 3 - Henry Lust, Doris Dawkins, and Dwayne Green

Absent: 1 - Dwight McMutry

Remote: 1 - Patricia Wisdom